

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403-5107**

and  
**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Office of Environmental Quality Control**  
**Water Quality Certification and Wetlands Programs Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION  
Refer to: P/N #2006-5W-013.

3 February 2006

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

**BRIGHT-MEYERS DEVELOPMENT**  
**100 GLENRIDGE POINT PARKWAY**  
**SUITE 530**  
**ATLANTA, GEORGIA 30342**

for a permit to place fill material in waters of the United States, including freshwater wetlands, in and adjacent to

**AN UNNAMED TRIBUTARY TO METZ BRANCH**

at a location generally north of Dutch Fork Road (U.S. Highway 76), west of its intersection with Broad River Road (U.S. Highway 176), near the Town of Ballentine, Richland County, South Carolina. (Latitude 34.127082°N, Longitude 81.222631°W)

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, 6 March 2006**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill material in 0.38 acre of waters of the United States, including freshwater wetlands, specifically, 0.121 acre of freshwater wetlands and 0.259 acre or 954.86 linear feet of perennial stream. As stated by the applicant, the purpose of the proposed work to place fill in waters of the United States, including freshwater wetlands, is to construct a multi-service retail center. The applicant proposes to mitigate for these proposed impacts by purchasing 4372.64 stream restoration and preservation credits and 1.33 wetland restoration and enhancement credits.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.60 acre of freshwater habitat upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

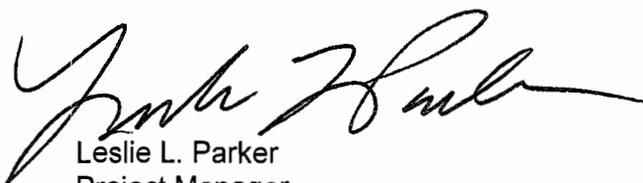
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated

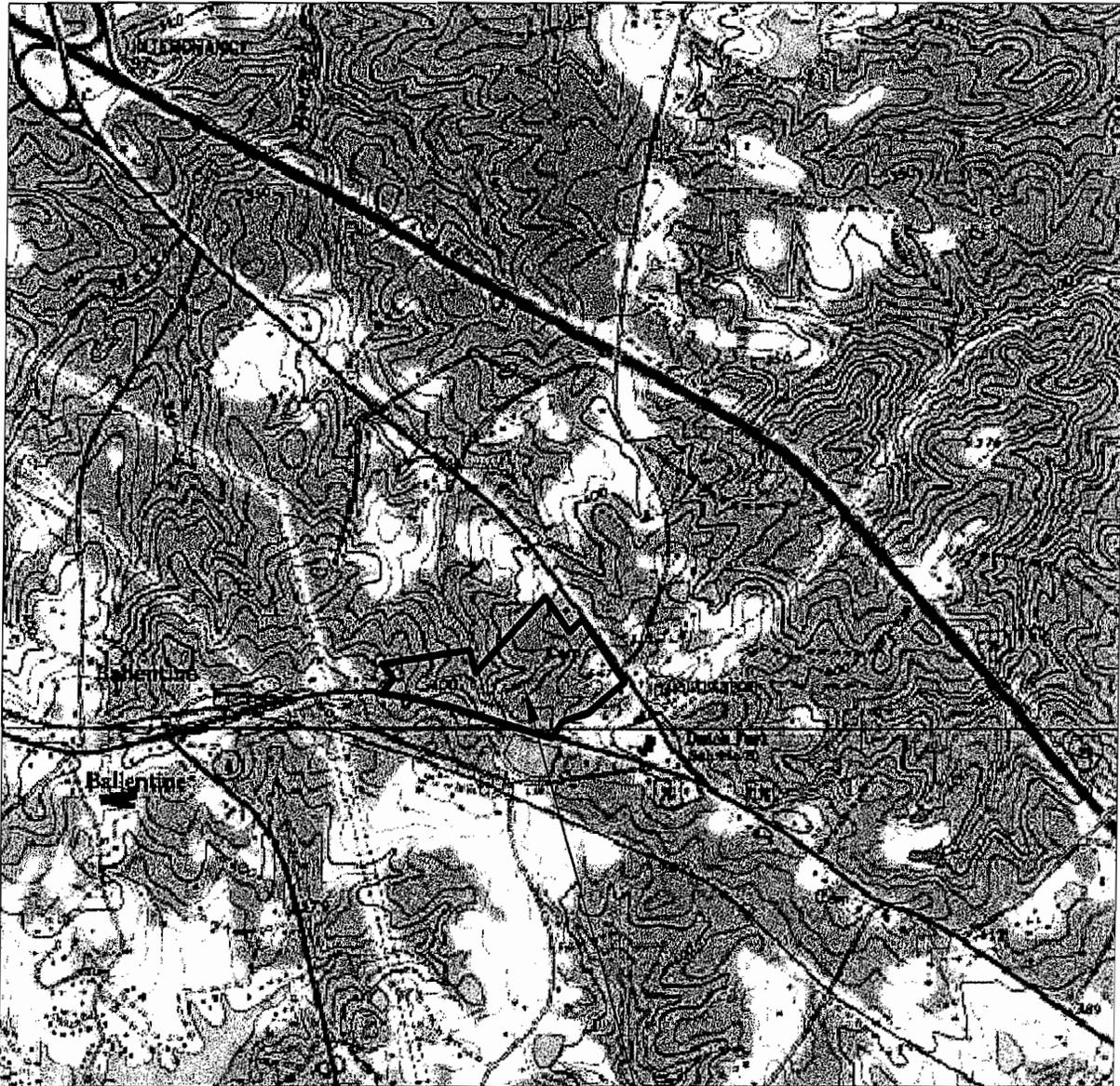
by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 803-253-3444.



Leslie L. Parker  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



Source: USGS topographic map 1983 data  
Richtex and Irmo quadrants

Target Property

REVISIONS		
NO.	DRAWN BY:	COMMENT:

**ENVIRONMENTAL  
PERMITTING  
CONSULTANTS, INC.**

**GRAPHIC SCALE**  
 1000 0 1000 2000  
 1 Inch = 2000 feet

Post Office Box 3744 Greenville, SC 29608 Phone: (864) 271-3040 Fax: (864) 235-9289	DRAWN BY: <u>lhb</u>
	DATE: <u>12jan2008</u>
	EPC PROJECT NO.: <u>05060</u>

**Proposed Retail Center-Ballentine**  
 Site Location Topo  
 Bright-Meyers Development  
 Richland County  
 USACE P/N: **20065W013**

SHEET NO.  
**1**  
of 12



Source: 1999 Aerial Infrared Orthophotos  
 SCDNR GIS data 99irmone.sid and 99richtse.sid

REVISIONS		
NO.	DRAWN BY:	COMMENTS:

**ENVIRONMENTAL  
 PERMITTING  
 CONSULTANTS, INC.**

**GRAPHIC SCALE**  
 500 0 500 1000  
 1 Inch = 1000 feet

Post Office Box 3744 Greenville, SC 29808 Phone: (864) 271-3040 Fax: (864) 235-9299	DRAWN BY: JNC DATE: 24may2005 EPC PROJECT NO.: 05060
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**Proposed Retail Center-Ballentine**  
 Aerial Infrared  
 Bright-Meyers Development  
 Richland County  
 USACE P/N: **20065W013**

SHEET NO.  
**2**  
 of 12



Source: 1978 Richland County Soil Survey

26

REVISIONS		
NO.	DRAWN BY:	COMMENTS:

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PERMITTING  
CONSULTANTS, INC.**

**GRAPHIC SCALE**  
 500 0 500 1000  
 1 inch = 1000 feet

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Proposed Retail Center-Ballentine  
 Soils Map  
 Bright-Meyers Development  
 Richland County  
 USACE P/N: **20065W013**

SHEET NO.  
**3**  
 of 12

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CONSULTANTS, INC.**

Post Office Box 3744  
Greenville, SC 29608  
Phone: (864) 271-3040  
Fax: (864) 235-9299

**GRAPHIC SCALE**



DRAWN BY: jhb  
DATE: 12Jan2006  
EPC PROJECT NO.: 06epc060

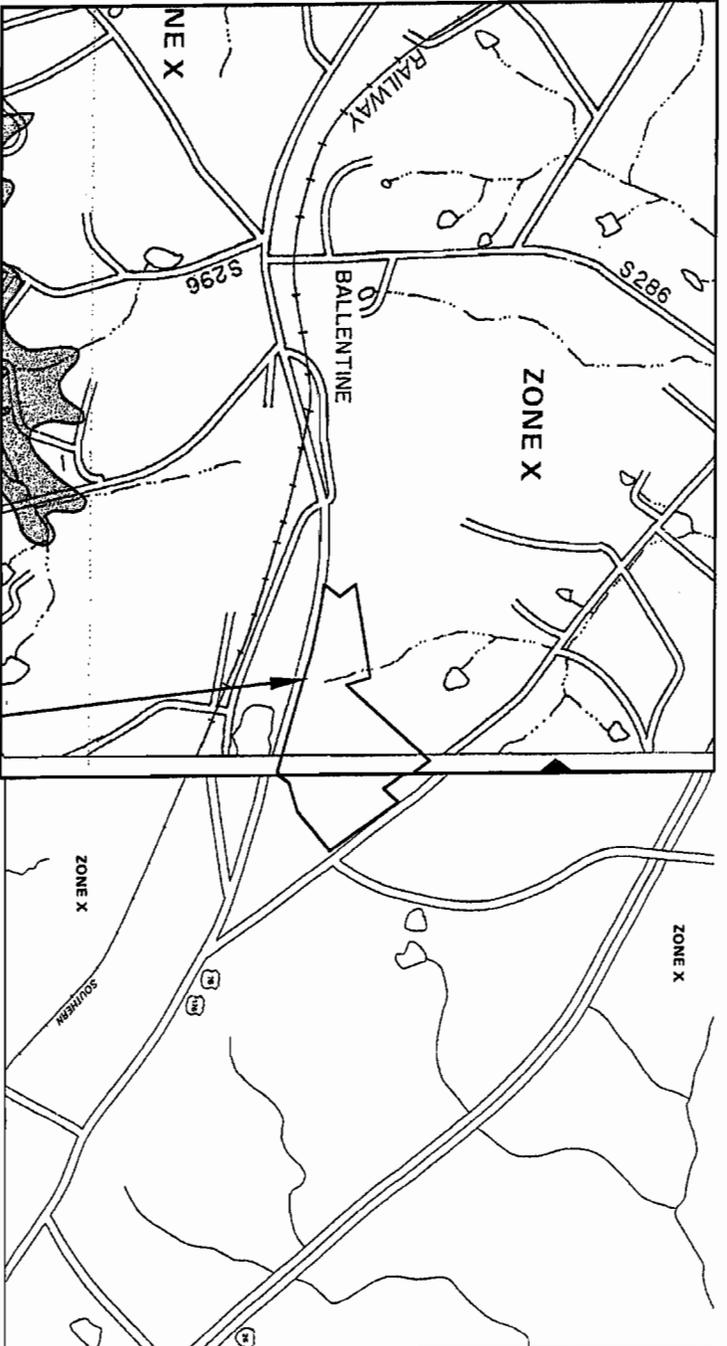
**REVISIONS**

NO.	DATE	COMMENTS

**Ballentine**  
FEMA  
Bright-Meyers Development  
Richland County  
USACE P/N: **20065W013**

SHEET NO.

**4**  
of 12



Target property

**FIRM**  
FLOOD INSURANCE RATE MAP  
RICHLAND COUNTY,  
SOUTH CAROLINA  
AND INCORPORATED AREAS

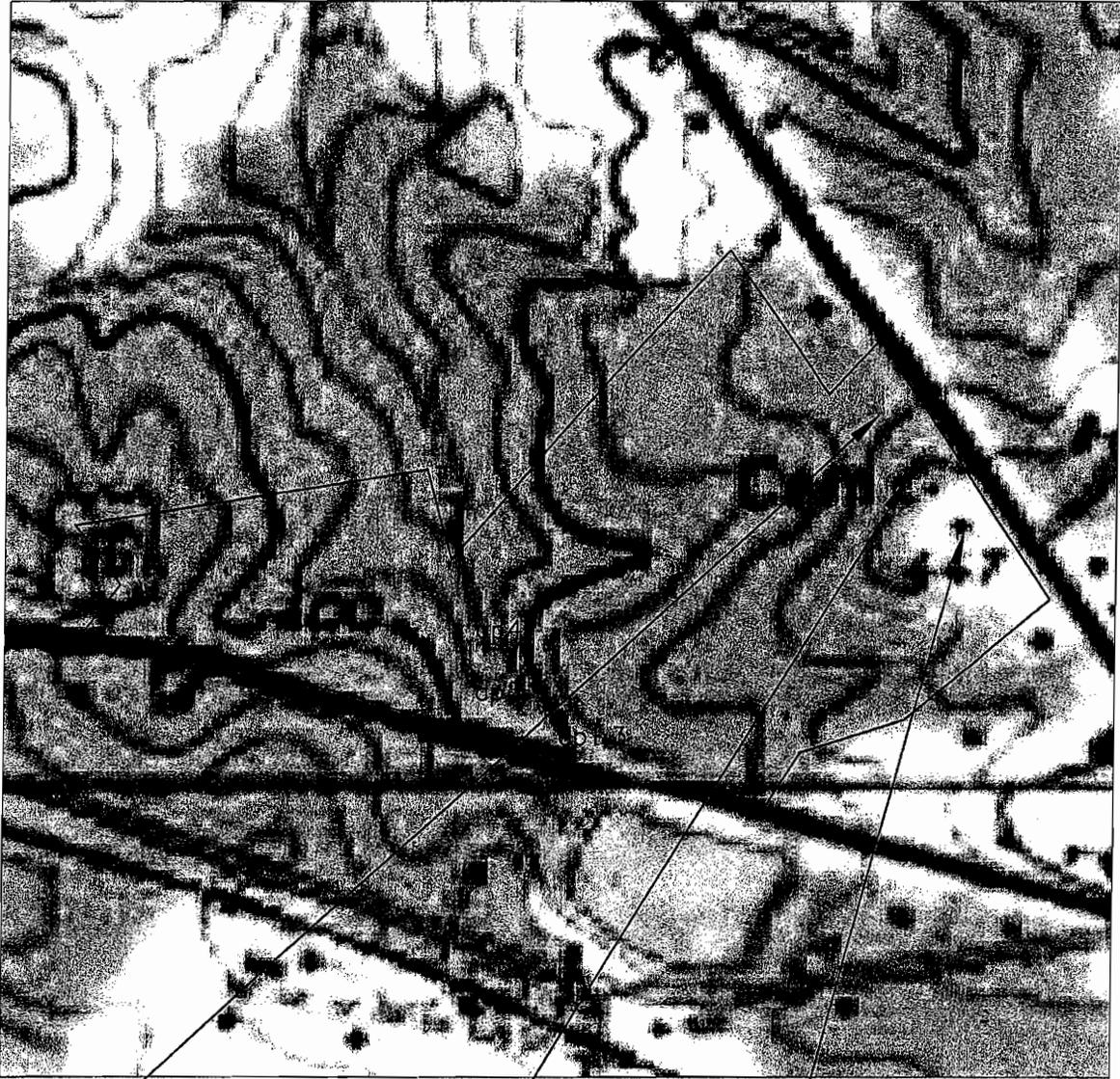
PANEL 49 OF 275  
DATE: 1985  
REVISION: 1985  
DATE: 1985  
REVISION: 1985  
DATE: 1985  
REVISION: 1985

**MAP NUMBER**  
60720000 N  
**MAP REVISION**  
JULY 17, 1985

**NATIONAL FLOOD INSURANCE PROGRAM**  
APPROXIMATE SCALE  
1" = 100 FEET

**Federal Emergency Management Agency**

This is a preliminary map of the Flood Insurance Rate Map for the area shown. It is not intended to be used for any purpose other than to provide a general indication of the areas which may be subject to flooding. It is not intended to be used for any purpose other than to provide a general indication of the areas which may be subject to flooding. It is not intended to be used for any purpose other than to provide a general indication of the areas which may be subject to flooding.



Source: USGS topographic map 1983 data  
Richtex and Irmo quadrants

Church and  
activity building

Family  
graveyard

Farm house and  
out buildings

REVISIONS		
NO.	DRAWN BY:	COMMENTS

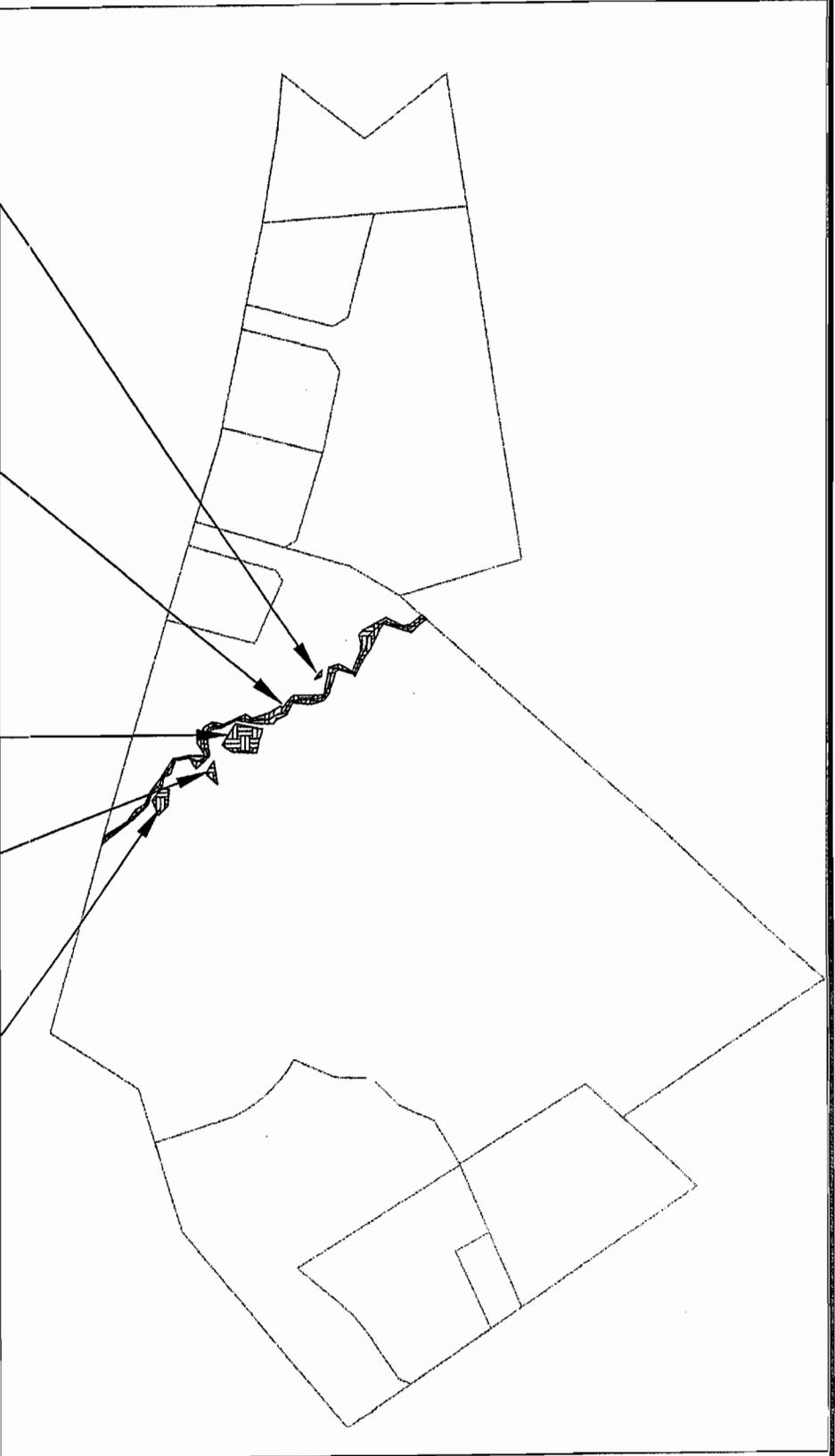
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CONSULTANTS, INC.**

**GRAPHIC SCALE**  
 250 0 250 500  
 1 inch = 500 feet

Post Office Box 3744 Greenville, SC 29608 Phone: (864) 271-3040 Fax: (864) 235-9299	DRAWN BY: LHB DATE: 12Jan2006 EPC PROJECT NO.: 05060
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**Proposed Retail Center-Ballentine**  
 Building Locations  
 Bright-Meyers Development  
 Richland County  
 USACE P/N: **20065W013**

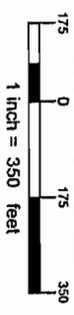
SHEET NO.  
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of 12



- Waters of the U.S. Area "E"  
Wetland  
0.002 acres
- Waters of the U.S. Area "A"  
Stream  
945.86 linear feet
- Waters of the U.S. Area "B"  
Wetland  
0.079 acres
- Waters of the U.S. Area "C"  
Wetland  
0.011 acres
- Waters of the U.S. Area "D"  
Wetland  
0.029 acres



GRAPHIC SCALE



REVISIONS

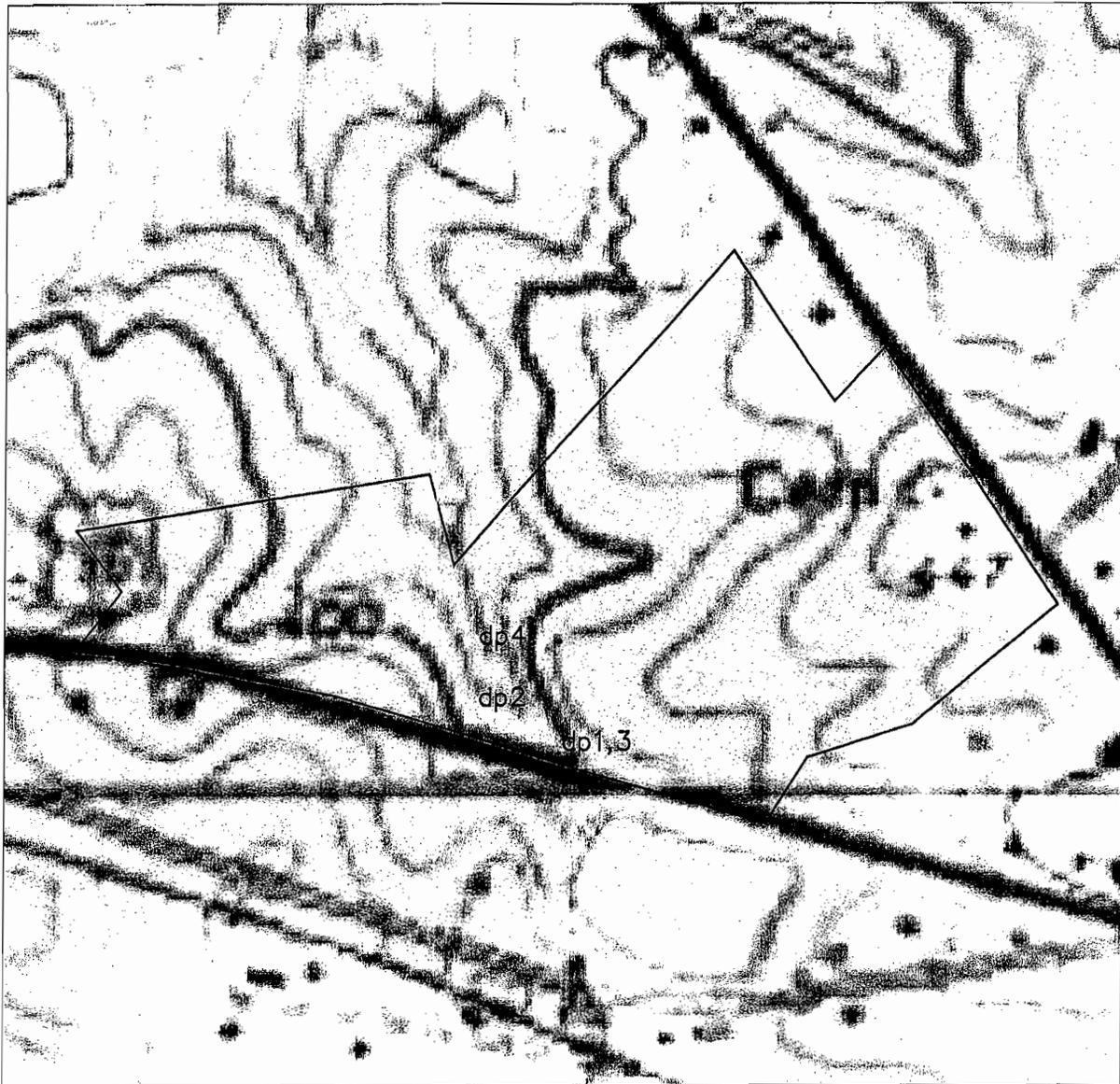
NO.	DATE	COMMENTS

Ballentine  
Waters of the US  
Bright-Meyers Development  
Richland County  
20065W013

Post Office Box 3744  
Greenville, SC 29608  
Phone: (864) 271-3040  
Fax: (864) 235-9299

DRAWN BY: hlb  
DATE: 12Jan2006  
EPC PROJECT NO.: 05p00080

USACE P/N:



Source: USGS topographic map 1983 data  
Richtex and Irmo quadrants

REVISIONS		
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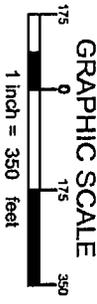
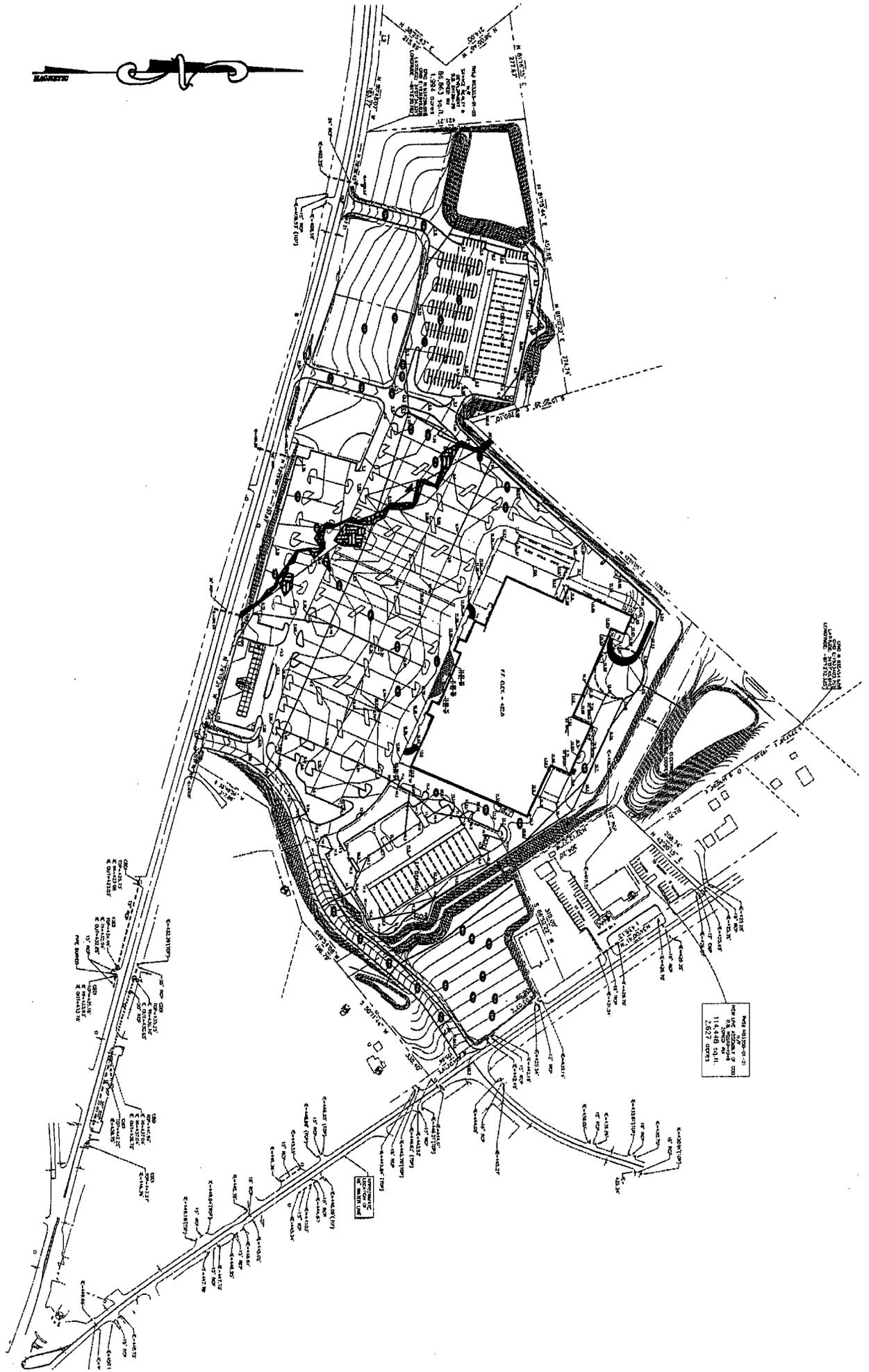
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CONSULTANTS, INC.**

**GRAPHIC SCALE**  
250 0 250 500  
1 inch = 500 feet

Post Office Box 3744 Greenville, SC 29608 Phone: (864) 271-3040 Fax: (864) 235-9299	DRAWN BY: JNC DATE: 24may2005 EPC PROJECT NO.: 05060
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**Proposed Retail Center-Ballentine**  
Data Point Locations  
Bright-Meyers Development  
Richland County  
USACE P/N: **20065W013**

SHEET NO.  
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of 12



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CONSULTANTS, INC.**

Post Office Box 3744  
Greenville, SC 29608  
Phone: (804) 271-5040  
Fax: (804) 235-9299

DRAWN BY:            Ihb  
DATE: 12/20/06  
EPC PROJECT NO.: 05090680

**REVISIONS**

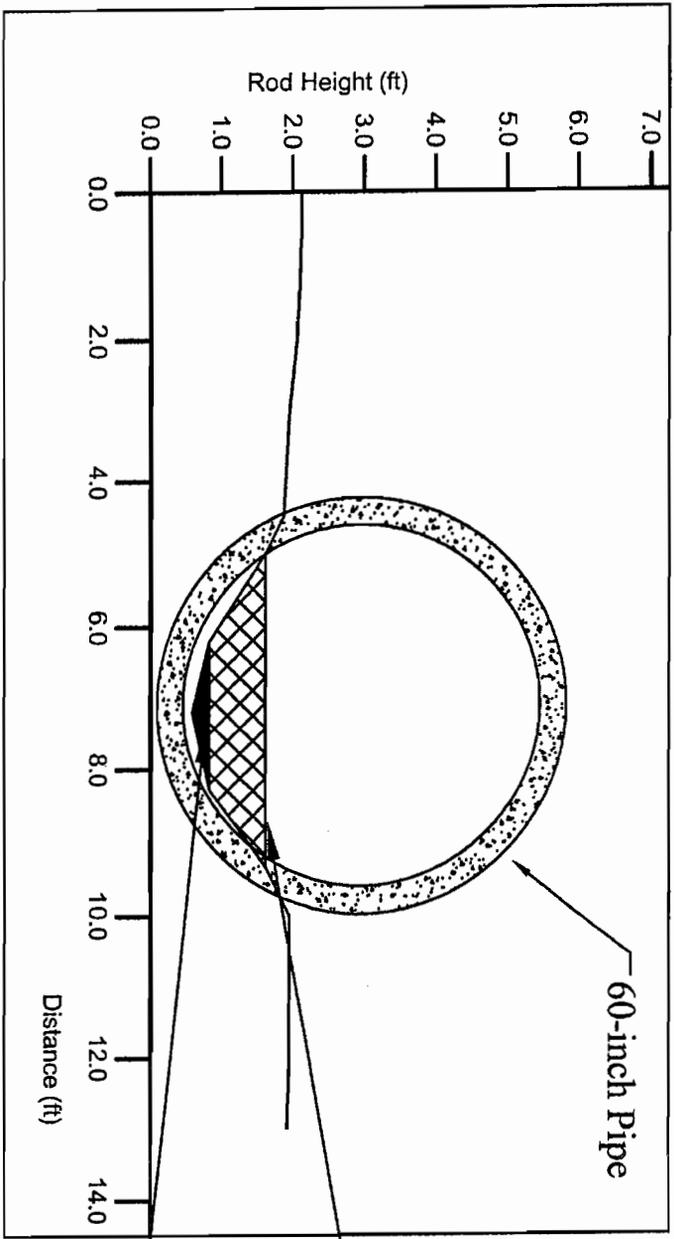
NO.	DATE	BY	COMMENTS

**Ballentine  
Overview**  
Bright-Myers Development  
Richland County  
**20065W013**

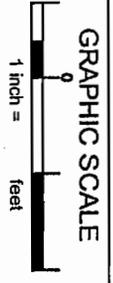
**SHEET NO.**  
**8**  
**of 12**



Proposed Grade =  
approximately 12 feet



**ENVIRONMENTAL  
PERMITTING  
CONSULTANTS, INC.**



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Greenville, SC 29608  
Phone: (864) 271-3040  
Fax: (864) 235-9299

DRAWN BY: Jhb  
DATE: 12Jan2006  
EPC PROJECT NO.: 05pca060

REVISIONS

NO.	DATE	COMMENTS

USACE P.N.: **20065W013**  
Ballentine  
Cross Section  
Bright-Meyers Development  
Richland County

SHEET NO.

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of 12

## Ballentine Proposed Retail Center

### WATERS OF THE U.S.

AREA	DESCRIPTION	WATERS OF THE US		
		STREAM		WETLAND
		linear feet	acres	acres
A	Stream	945.86	0.26	N/A
B	Wetland	N/A	N/A	0.079
C	Wetland	N/A	N/A	0.011
D	Wetland	N/A	N/A	0.029
E	Wetland	N/A	N/A	0.002
<b>TOTAL</b>		<b>946.12</b>	<b>0.26</b>	<b>0.121</b>

### PROPOSED ACTIVITY

AREA	ACTIVITY	WATERS OF THE US			
		STREAM		WETLAND	
		linear feet	cubic yards	acres	cubic yards
A	Pipe (60" RCP)	945.86	N/A	N/A	N/A
B	Fill	N/A	N/A	0.079	1906.67
C	Fill	N/A	N/A	0.011	208.89
D	Fill	N/A	N/A	0.029	376.89
E	Fill	N/A	N/A	0.002	57
<b>TOTAL</b>	Pipe	945.86	N/A	N/A	N/A
	Fill	N/A	N/A	0.121	2549.45
<b>GRAND TOTAL</b>		<b>945.86</b>	<b>0</b>	<b>0.121</b>	<b>2549.45</b>

**Proposed Retail Center-Ballentine**

**Date: 12Jan2006**

**P/N # 20065W013**

**Sheet No.**

**11**

**of 12**

Project: **BALLENTINE PROPOSED RETAIL CENTER  
Bright-Meyers Development**  
Date: 12-Jan-2006

**Required Stream Mitigation Credits Worksheet**

FACTOR	Stream Impact Area "A"
Lost Type	0.8
Priority Category	0.1
Existing Condition	0.75
Duration	0.3
Dominant Impact	2.2
Cumulative Impact	0.47293
Sum of R Factors	4.62293
Linear Feet Impact	945.86
R x LL	4372.64457

**STREAM IMPACT**

Lost Type: All Other Streams  
Priority Category: Tertiary; not listed  
Existing Condition: Impaired pipe occurs within impact area  
Duration: Greater than a year  
Dominant Impact: Culvert Pipe length is 790.37 ft.

<b>TOTAL REQUIRED STREAM CREDITS:</b>	<b>4372.64457</b>
25%=	1093.16114

**Required Wetland Mitigation Credits Worksheet**

FACTORS	Wetland Impact Area "B"	Wetland Impact Area "C"	Wetland Impact Area "D"	Wetland Impact Area "E"
Lost Type	3.00	3.00	3.00	3.00
Priority Category	0.50	0.50	0.50	0.50
Existing Condition	2.00	2.00	2.00	2.00
Duration	2.00	2.00	2.00	2.00
Dominant Impact	3.00	3.00	3.00	3.00
Cumulative Impact	0.53	0.53	0.53	0.53
Sum of R Factors	11.03	11.03	11.03	11.03
Impacted Area	0.08	0.01	0.03	0.002
R x AA	0.87	0.12	0.32	0.02

**WETLAND IMPACT**

Lost Type: Type A - Riverine System  
Priority Category: Tertiary - Bottomland Hardwoods  
Existing Condition: Slightly Impaired - was farmed  
Duration: Over 10 years  
Dominant Impact: Fill

<b>TOTAL REQUIRED WETLAND CREDITS:</b>	<b>1.33</b>
Wetland Restoration / Enhancement credits required:	0.33